

## **REMARKS**

By the *Office Action* of September 30, 2008, Claims 1, 3-13, and 15-39 are pending in the Application, and all pending Claims are rejected. Applicant thanks the Examiner with appreciation for the careful consideration and examination.

By the present *Response*, 1, 3, 5-13, and 15-40 are pending in the Application. Claims 1, 3, 5-7, 12-13, 15-19, and 23-25 are amended herein, Claims 8-10, 20-21, and 26-39 were previously presented, Claims 11 and 22 remain in their original forms, Claim 40 is newly presented, and Claims 2 and 14 are canceled.

Applicant submits this *Response* solely to facilitate prosecution. As such, Applicant reserves the right to present new or additional claims in this Application that have similar or broader scope as those originally filed. Applicant also reserves the right to present additional claims in a later-filed continuation application that have similar or broader scope as originally-filed. Accordingly, any amendment, argument, or claim cancellation is not to be construed as abandonment or disclaimer of subject matter.

No new matter is believed introduced by this submission. It is respectfully submitted that the present Application is in condition for allowance for at least the following reasons:

### **I. Applicant's Claimed Invention Is Patentable Over The Cited Combination**

The Examiner rejects all pending claims under 35 U.S.C. § 103(a). Specifically, Claims 1, 3-13, 15-25, 34-39 are rejected as allegedly being unpatentable over U.S. Patent No. 6,418,416 to Rosenberg in view of U.S. Patent Application No. 2002/0082991 to Friedman, and Claims 26-33 are rejected as allegedly being unpatentable over Rosenberg in view of Friedman, and further in view of the Examiner's Official Notice. Applicant respectfully disagrees with these rejections at least because Rosenberg and Friedman fail to disclose certain recited features of the claimed invention.

As the Examiner will recall, the claimed invention is directed toward a telecommunications management system for managing telecommunications resources. *Specification*, U.S. Patent Application No. 2004/0186798, *Abstract*. Telecommunications services may be modified, such as adding new services, canceling old services, or changing one or more terms of provided services. *Id.* at ¶¶ 99-100. As currently claimed, when telecommunications *services* are modified, a service modification unit modifies resource data

based on the service modifications. *Id.* at ¶¶ 40-42. For example, telecommunications resources may be associated with specific users of telecommunications services. *Id.* at ¶ 36. When a service associated with a user is modified, the service modification unit may modify one or more resources associated with the user, such that the services and resources may correspond. *Id.* at ¶¶ 39 & 42. Accordingly, resource data can remain consistent with ordered services and contracts for such services. *Id.* at ¶¶ 40-42. As a result, telecommunications bills can be reconciled with stored contracts for services, resource data, or both, to provide effective telecommunications management. *Id.* at ¶ 44.

In contrast, Rosenberg discloses a system that has nothing to do with telecommunications management. Rosenberg is directed toward tracking inventory of a product encased in a dispenser. Rosenberg at col. 1, ll. 49-57. When the dispenser senses that the product is low, the machine initiates reorder of the product. *Id.* at *Abstract*. However, inventory tracking is not updated based on telecommunications service orders, but is updated by direct user request for dispensing of product and by physical sensors associated with the dispensers themselves. *Id.* at col. 1, ll. 63-65 & col. 4, ll. 10-13.

Friedman, on the other hand, discloses a system for managing billing discrepancies associated with telecommunications use. Friedman at ¶ 5. As a bill management system, Friedman discloses maintaining a record of telecommunications inventory *only* with respect to reconciling inventory records with received bills. *See id.* at ¶¶ 26, 50, 54. Friedman makes no disclosure as to how to update telecommunications inventory or, further, how such updates may be associated with service modifications. Consequently, Friedman's telecommunications inventory may not accurately reflect current services provided to users of the system. As a result, bill reconciliation in Friedman may be less effective than reconciliation in the claimed invention.

Accordingly, the cited combination of Rosenberg and Friedman fails to disclose or suggest modifying resource data based on service modifications or, further, modifying resource data associated with *users* based on service modifications for those users.

Applicant clarifies certain of the claims, including independent Claims 1 and 13, to emphasize patentable distinctions between the claimed invention and the cited references, as described above. Neither Rosenberg nor Friedman discloses updating telecommunications resource data based on service modifications, as recited in Applicant's clarified independent

claims. Accordingly, Applicant submits that the pending claims are patentable over the cited combinations, and are in condition for allowance.

## **II. Rosenberg and Friedman Cannot Be Combined To Arrive At The Claimed Invention**

The Examiner attempts to combine Rosenberg and Friedman, and asserts that such a combination discloses every element of the claimed invention. Applicant respectfully submits that the combination of Rosenberg and Friedman does not yield the claimed invention because Rosenberg and Friedman are not analogous art. As mandated by MPEP § 2143, a *prima facie* case of obviousness requires some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references. MPEP § 2143. In this case, there is no suggestion or motivation to enable one skilled in the art to modify Rosenberg in view of Friedman.

Specifically, Rosenberg provides no support or motivation to include the telecommunications cost management system taught in Friedman. Rosenberg solely teaches a system for effectively managing inventory provided in dispensers and timely replenishing such inventory. Rosenberg at *Abstract*. Rosenberg makes no mention of a system that maintains a database for telecommunications resources associated with telecommunications users within an organization. Further, as Rosenberg does not disclose receiving bills from a telecommunications service provider or other service provider, Rosenberg does not indicate a need for a billing reconciliation unit for telecommunications resources.

Moreover, Friedman solely teaches a system for managing billing discrepancies associated with telecommunications use within an organization. Friedman at *Abstract*. Friedman makes no suggestion that inventory might become low. Consequently, Friedman indicates no need for tracking inventory to provide timely replenishing of resources, as provided by Rosenberg.

Thus, Rosenberg and Friedman cannot properly be combined because neither Rosenberg, Friedman, nor knowledge in the art suggests such a combination. Accordingly, a *prima facie* case of obviousness has not been presented. Applicant respectfully submits that the pending claims are in condition for allowance.

### III. Applicant's Dependent Claims Are Further Patentable Over The Cited Combinations

Applicant's dependent claims are patentable by virtue of their dependence on Applicant's independent claims, which are patentable over the cited combinations as discussed above. Additionally, at least dependent claims 6, 8, 12, 18, 23, and 40 are further patentable for the additional features they recite.

The Examiner asserts that Rosenberg discloses automatically updating inventory data when existing resources are canceled, as recited in Claims 6 and 18. *Office Action* at p. 5. Applicant respectfully disagrees, and submits that Rosenberg makes no suggestion of canceling orders or updating inventory data based on canceled orders. Although Rosenberg mentions tracking "removal" of product from dispensers, this removal is not equivalent to canceled orders. Rosenberg at *Abstract*. To the contrary, Rosenberg discloses tracking only the physical removal of product from dispensers, and updating inventory data based on such physical removal. Rosenberg at *Abstract*; col. 1, l. 58 – col. 2, l. 3; & col. 2, ll. 41-44. In Rosenberg, each system user is provided with an identification string used to access the dispensers. *Id.* at col. 1, l. 58 – col. 2, l. 3. Accordingly, when a product is removed from a dispenser, the identity of the person who removed the product can be determined. *Id.* at col. 2, ll. 41-44. There is no suggestion in Rosenberg that inventory data is updated based on canceled orders, as recited in Claims 6 and 18.

The Examiner asserts that Friedman discloses generating reports of telecommunications services of telecommunications users, as recited in Claim 8. *Office Action* at p. 6. Applicant respectfully disagrees. While Friedman may disclose reporting of telecommunications services, any such reports are not associated with *telecommunications users*, as recited in the claim. Friedman at *Abstract*.

With respect to Claims 12 and 23, the Examiner asserts that Rosenberg discloses a processor unit adapted to compare billing data, contract data, and inventory data to confirm that the billing data corresponds to the current inventory data and contract data. *Office Action* at p. 8. Applicant respectfully disagrees. As the Examiner states, Rosenberg discloses maintaining current inventory levels. *Id.*; Rosenberg at *Abstract*. Rosenberg, however, makes no disclosure of receiving bills for services provided, so there would be no purpose in Rosenberg for confirming the correctness of billing data based on any comparison. Further, Rosenberg discloses no contract data or comparison of contract data. Accordingly, Rosenberg does not

compare billing data to contract data or, further, confirm that billing data corresponds to contract data.

Applicant's new Claim 40 recites that the service modification unit associates at least a portion of the resource data with a telecommunications user, and modifies the resource data associated with the telecommunications user based on service modifications associated with the telecommunications user. Applicant respectfully submits that this feature is not claimed by the cited combination. The combination fails to disclose or suggest associating resource data with a particular user or, further, modifying resource data associated with the user based on service modifications for the user. Accordingly, Applicant believes Claim 40 to be patentably distinct over the cited combination.

For at least the above reasons, Applicant respectfully submits that Applicant's dependent claims are patentable over Rosenberg and Friedman and are in condition for allowance.

#### **IV. Fees, Petition For Extension Of Time, And Request For Continued Examination**

This *Response* is filed within four months of the *Office Action*. Applicant petitions for a one-month extension of time pursuant to 37 C.F.R. § 1.136(a)(1), so a one-month extension of time fee is believed due.

This *Response* and does not increase the number of independent claims or the total number of claims beyond the number for which Applicant previously paid. Thus, no claim fees are believed due.

Applicant herein expressly submits a *Request for Continued Examination* ("RCE") under 37 C.F.R. § 1.114. Accordingly, Applicant also submits the required RCE fee.

The Commissioner is hereby authorized to charge \$470.00 to Deposit Account No. 20-1507 for the one-month extension of time and RCE fees. No further fees are believed due. Nonetheless, authorization is hereby expressly given to charge any unpaid fees, or credit any overpayment, to Deposit Account No. 20-1507 for acceptance of this submission.

### CONCLUSION

By the present *Response*, the Application has been placed in full condition for allowance. Therefore, it is respectfully requested that the rejections be withdrawn and that the case be processed to issuance in accordance with Patent Office business.

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please contact James Schutz at 404.885.3498.

Respectfully submitted,

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